

1 WILLIAM L. ANTHONY (State Bar No. 106908)
ERIC L. WESENBERG (State Bar No. 139696)

2 HEIDI L. KEEFE (State Bar No. 178960)
3 SAM O'ROURKE (State Bar No. 205233)
ORRICK, HERRINGTON & SUTCLIFFE, LLP

1000 Marsh Road
Menlo Park, CA 94025

Telephone: (650) 614-7400
Facsimile: (650) 614-7401

RECEIVED

MAY - 5 2004

6 STEVEN ALEXANDER (admitted *Pro Hac Vice*)
7 KRISTIN L. CLEVELAND (admitted *Pro Hac Vice*)
JAMES E. GERINGER (admitted *Pro Hac Vice*)
JOHN D. VANDENBERG

8 KLARQUIST SPARKMAN, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, OR 97204

Telephone: (503) 226-7391
Facsimile: (503) 228-9446

Attorneys for Defendant and Counterclaimant,
MICROSOFT CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

17 INTERTRUST TECHNOLOGIES
CORPORATION, a Delaware corporation,

Plaintiff,

v.

20 MICROSOFT CORPORATION, a
21 Washington corporation,

Defendant.

23 AND RELATED CROSS-ACTION.

Case No. C 01-1640 SBA (MEJ)
Consolidated with C 02-0647 SBA (MEJ)

JOINT STIPULATION OF
DISMISSAL WITH PREJUDICE

1 WHEREAS the Parties have resolved their dispute;

2 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff
3 InterTrust Technologies Corporation and Defendant and Counterclaimant Microsoft Corporation
4 by and through their respective undersigned counsel, and pursuant to Federal Rules of Civil
5 Procedure 41(a)(1)(ii) and 41(c), that the above-captioned matter be dismissed in its entirety with
6 prejudice, with each side bearing its own costs and attorney's fees.
7
8
9

10 Dated: 5/5/04

ERIC L. WESENBERG
ORRICK, HERRINGTON & SUTCLIFFE LLP

Eric L. Wesenberg
Attorneys for Defendant and Counterclaimant
MICROSOFT CORPORATION

14 Dated: 5/6/04

MICHAEL H. PAGE
KEKER & VAN NEST LLP

Michael H. Page
Attorneys for Plaintiff and Counterdefendant
INTERTRUST TECHNOLOGIES CORP.

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: 5-6-04

Hon. Sandra Brown Armstrong
United States District Judge

1 **DECLARATION OF SERVICE VIA ELECTRONIC MAIL AND U.S. MAIL**

2 I am more than eighteen years old and not a party to this action. My place of
3 employment and business address is 1000 Marsh Road, Menlo Park, California 94025.

4 On May 10, 2004, I served:

5 **JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

6 By transmitting a copy of the above-listed document(s) in PDF form via electronic mail Michael
7 H. Page at mhp@kvn.com, Doug Derwin at doug.derwin@derwin.com,
8 dderwin@intertrust.com; James E. Geringer at james.geringer@klarquist.com and Michael
Lyons at mlyons@morganlewis.com and also by placing true and correct copies of the above
documents in an envelope addressed to:

9 John W. Keker, Esq.
Michael H. Page, Esq.
10 KEKER & VAN NEST, LLP
710 Sansome Street
11 San Francisco, CA 94111
Tel. No. 415-391-5400
12 Fax No. 415-397-7188
Email: jwk@kvn.com
13 Email: mhp@kvn.com

14 Attorneys for Plaintiff, INTERTRUST
TECHNOLOGIES CORPORATION

15 Michael Lyons, Esq.
16 MORGAN LEWIS & BOCKIUS LLP
3300 Hillview Avenue
17 Palo Alto, CA 94304
Tel. No. 650-493-4935
18 Fax No. 650-493-5556
Email: mlyons@morganlewis.com

19 Attorneys for Plaintiff InterTrust
20 TECHNOLOGIES CORPORATION

Doug Derwin, Esq.
DERWIN & SIEGEL
3820 Alpine Road
Portola Valley, CA 94028
Tel. No: 650-529-8700
Fax No: 650-529-8799
E-mail: doug.derwin@derwin.com
E-mail: dderwin@intertrust.com
Attorneys for Plaintiff, INTERTRUST
TECHNOLOGIES CORPORATION

John D. Vandenberg, Esq.
Michael Lyons, Esq.
MORGAN LEWIS & BOCKIUS LLP
3300 Hillview Avenue
Palo Alto, CA 94304
Tel. No: 503-226-7391
Fax No: 503-228-9446
Email: john.vandenberg@klarquist.com
Email: james.geringer@klarquist.com

Attorneys for Defendant and Counterclaimant,
MICROSOFT CORPORATION

21
22
23 and sealing the envelope, affixing adequate first-class postage and depositing it in the U.S. mail
at Menlo Park, California.

24 Executed on May 10, 2004 at Menlo Park, California.

25 I declare under penalty of perjury that the foregoing is true and correct.

26
27 _____
ANNA FREDDIE